

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

VS.

CRIMINAL NO. 3:16CR51-HTW-FKB

TERESA K. MALONE

DEFENDANT

MOTION TO DELAY TIME TO REPORT AND ALLOW AMIE BATTLE,
U.S. PROBATION OFFICER, TO REVIEW RECORDS AND OTHER RELIEF

COMES NOW the Defendant, Teresa K. Malone, by and through counsel, and moves the Court for an order delaying the date currently set for the Defendant to report to the Bureau of Prisons for surrender for service of sentence in the above-styled cause, and in support thereof would show unto the Court the following:

1. That Defendant is set to report to the Bureau of Prisons for surrender for service of sentence on Monday, August 26, 2019;
2. Defendant was asked to provide copies of medical records, prescriptions, diagnosis, prognosis, and treatment plan to the Bureau of Prisons prior to surrender date for review and determination of treatment facilities.
3. That on Friday, August 16, 2019, counsel for Defendant was able to provided Amie Battle, U.S. Probation Officer, with recently received medical records that depict Defendants medical conditions, diagnoses prognoses, treatment plans, and medications.
4. Counsel for Defendant would show that Ms. Battle needs additional time to review said documents to prepare an addendum to the pre-sentence report.
5. That the United States Government takes no position on this Motion;

6. This motion is not made for the purpose of delay or harassment, but for the fair administration of justice.

WHEREFORE, PREMISES CONSIDERED, your Defendant prays that this Motion to be filed and that upon due consideration by this Court, an Order Postponing Defendant's date to surrender to the Bureau of Prisons for service of sentence until further order of this Honorable Court.

Respectfully submitted, this the 20th day of August, 2019.

TERESA K. MALONE, Defendant

By: /s/James R. Franks, Jr.
JAMES R. FRANKS, JR. MSB# 100156
WILLIAM R. WHEELER, JR., MSB#10848
Counsel for Defendant

OF COUNSEL:

WHEELER & FRANKS LAW FIRM, P.C.
114 South Broadway Street
Post Office Box 681
Tupelo, Mississippi 38802
Telephone: (662) 842-0380
Facsimile: (662) 842-7491
Email: jfranks@wheelerfrankslaw.com

CERTIFICATE OF SERVICE

I, James R. Franks, Jr., do hereby certify that I have this day filed via ECF the foregoing
Motion to Postpone Report Date which has sent a copy via email to:

Darren J. LaMarca, Esq.
Office of the U.S. Attorney
501 E. Court Street, Ste. 4.430
Jackson, MS 39201-5025

Amie Battle
U.S. Probation Officer
Southern District of Mississippi
501 E. Court Street Suite 1.550
Jackson, MS 39201

This the 20th day of August, 2019.

/s/James R. Franks, Jr.
JAMES R. FRANKS, JR.